

1  
2  
3  
4  
5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8                   SHENZHEN LAIDERUI LIGHTING  
9                   TECHNOLOGY CO LTD,

10                  Plaintiff,

11                  v.  
12                  ZHIFEN ZHANG, doing business as  
13                  rbay,

14                  Defendant.

15                  CASE NO. 2:24-cv-562

16                  ORDER DENYING PLAINTIFF'S  
17                  MOTION FOR A TEMPORARY  
18                  RESTRANING ORDER

19                  On April 23, 2024, Plaintiff Shenzhen Laiderui Lighting Technology Co. Ltd.  
20                  filed a complaint for declaratory judgment stating that Defendant Zhifen Zhang's  
21                  (d/b/a "rbay") U.S. Patent No. D1,008,442 is invalid and unenforceable and that  
22                  Plaintiff's ceiling fans do not infringe on the '442 Patent. Dkt. No. 1 ¶ 1. Two weeks  
23                  later, Plaintiff moved for a temporary restraining order (TRO), requesting that the  
                        Court order all online marketplace platforms, including Amazon, eBay, Wish,  
                        AliExpress, Joom, Vova, Temu, Walmart, to void any complaint about infringement  
                        of the '442 Patent and restrain Defendant from notifying online marketplace

1 platforms that its patent rights are being infringed by Plaintiff's products. Dkt. No.  
2 6-4 at 2.

3 "Motions for temporary restraining orders without notice to and an  
4 opportunity to be heard by the adverse party are disfavored and will rarely be  
5 granted." LCR 65(b)(1). The Court may issue a TRO without notice to the adverse  
6 party only if the moving party shows that immediate and irreparable injury will  
7 occur before the adverse party can be heard *and* the movant's attorney certifies "any  
8 efforts made to give notice and the reasons why it should not be required." Fed. R.  
9 Civ. P. 65(b)(1). If these requirements are not met, the movant "must serve all  
10 motion papers on the opposing party, by electronic means if available, before or  
11 contemporaneously with the filing of the motion and include a certificate of service  
12 with the motion." LCR 65(b)(1).

13 After reviewing Plaintiff's TRO motion and supporting documents, the Court  
14 finds that it has not established that a TRO should issue without notice to  
15 Defendant. Plaintiff states that, as a result of Defendant's infringement complaint,  
16 Amazon has revoked its ability to sell products causing "immediate and irreparable  
17 injury, loss, or damage if a temporary restraining order is not issued." Dkt. No. 7 ¶¶  
18 8-9. This conclusory allegation does not show that immediate and irreparable injury  
19 will occur before Defendant may be heard in opposition. Moreover, Plaintiff's motion  
20 does not detail any attempts to serve Defendant.

21 Accordingly, the Court DENIES Plaintiff's motion for a TRO without  
22 prejudice.  
23

1 Dated this 7th day of May, 2024.  
2  
3  
4

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23



Jamal N. Whitehead  
United States District Judge